

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 05 1997

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 23 1996 under 61767

The applicant BZ2H LLCP, hereby makes application for permission to change the Point Of Diversion, Manner Of Use, Place Of Use of water heretofore appropriated under 53753

1. The source of water is UNDERGROUND
2. The amount of water to be changed 1.0 CFS
3. The water to be used for Municipal/Domestic (Town Of Fernley)
4. The water heretofore permitted for Quasi Municipal
5. The water is to be diverted at the following point NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, T20N, R24E, MD&M bearing S 63° 43' E a distance of 215.5 feet from the NW Corner of said Section 24
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, T20N, R24E, MD&M or at a point from which the NE Corner of said Section bears N 44° 11' 58" E a distance of 1771.48 feet
7. Proposed place of use ALL LAND AND PROPERTY WITHIN THAT PART OF LYON COUNTY, NEVADA, LYING NORTH OF THE EAST/WEST TOWNSHIP LINE BETWEEN TOWNSHIP 18N AND TOWNSHIP 19N, MD&M
8. Existing place of use NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26 & that portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25 lying west of Highway 95A all in T20N, R24E, MD&M
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works Municipal Well No. 11, Town of Fernley including pump and pumping facilities including building
12. Estimated cost of works \$500,000.00
13. Estimated time required to construct works Completed
14. Estimated time required to complete the application of water to beneficial use Five Years
15. Remarks: Permit 53753 is being moved to Fernley Town Well No. 11 which is a new Fernley Town Utilities Municipal well. Refer to map filed with Permit 61767

By s/Roy H. Hibdon #370
1479 S. Wells Ave. #15
Reno, NV. 89502

Compared my/cms lw/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 53753 is issued subject to the terms and conditions imposed in said Permit 53753 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any well drilled under Permit 53753 shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the issuance of this permit.

The total combined duty of water under Permits 63161 and 63162 shall not exceed 33.058 million gallons annually.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 33.058 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 12, 1999

Proof of completion of work shall be filed before:

October 12, 1999

Application of water to beneficial use shall be filed on or before:

September 12, 2001

Proof of the application of water to beneficial use shall be filed on or before:

October 12, 2001

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 20th day of March, A.D. 1998


State Engineer

Completion of work filed

FEB 14 2000

Proof of beneficial use filed

Cultural map filed

Certificate No.

Issued